

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

**JOHN DOE,**

*Plaintiff,*

**v.**

**ITHACA COLLEGE AND BRYAN ROBERTS,**

*Defendants.*

**NOTICE OF MOTION**

**Civil Action No.:  
3:23-cv-1600 (GTS/ML)**

**Nature of Action:** Negligence, Negligent Hiring/Retention/Training/  
Supervision/Direction, Intentional/Negligent  
Infliction of Emotional Distress

**Moving Party:** Defendant Bryan Roberts

**Date, Time & Place:** Motion returnable on \_\_\_\_\_, 2024 at  
\_\_\_\_\_ a.m./p.m., before the Hon. Miroslav  
Lovric, Federal Building and U.S. Courthouse, 15  
Henry Street, Binghamton, New York 13901.

**Supporting Papers:** 1. Defendant's Memorandum of Law dated January  
22, 2024.

**Relief Requested:** An Order (1) pursuant to Fed. R. Civ. P. 12(b)(6),  
dismissing Plaintiff complaint for failure to state a  
claim as a matter of law; and  
  
(2) awarding such other relief as the Court deems just  
and proper.

**Answering Papers:** Pursuant to the local rules for the Northern District  
of New York, answering papers, if any, must be  
served no later than 21 days from filing date.

**Oral Argument:** Requested. Grounds: the need to respond to yet  
unknown arguments regarding the complaint and  
the need to familiarize the Court with a recently  
removed case. Defendant anticipates either Peter J.  
Glennon or Ashley R. Westbrook will argue the  
motion.

Dated: January 22, 2024  
Rochester, New York

**THE GLENNON LAW FIRM, P.C.**

By: /s/ **Peter J. Glennon**  
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